





City of Loma Linda Official Report

Robert Ziprick, Chairman
Charles Umeda, Vice Chairman
Robert Christman, Board Member
Floyd Petersen, Board Member
Stan Brauer, Board Member

CRA AGENDA: July 17, 2006

TO: Agency Board Members

VIA: Dennis R. Halloway, Executive Director 

FROM: Pamela Byrnes-O'Camb, City Clerk/Agency Secretary 

SUBJECT: **Joint Public Hearing** of the City Council and Redevelopment Agency pertaining to the sale of property and approving Housing Disposition Agreements between Hameed and Nasreen Barkat; Mari Angelo; Monique Ortiz and the City/Agency regarding 25966 Court Street, 10599 Lind Avenue and 10605 Lind Avenue

RECOMMENDATION

It is recommended that:

The City Council adopt Council Bill #R-2006-42 authorizing sale of 24966 Court Street by the Agency to Hameed and Nasreen Barkat and that the Agency Board adopt CRA Bill #R-2006-14 authorizing the sale and approving the Housing Disposition Agreement.

The City Council adopt Council Bill #R-2006-43 authorizing sale of 10599 Lind Avenue by the Agency to Mari Angelo and that the Agency Board adopt CRA Bill #R-2006-15 authorizing the sale and approving the Housing Disposition Agreement.

The City Council adopt Council Bill #R-2006-44 authorizing sale of 10605 Lind Avenue by the Agency to Monique Ortiz and that the Agency Board adopt CRA Bill #R-2006-16 authorizing the sale and approving the Housing Disposition Agreement.

BACKGROUND

As part of its Affordable Housing Program, the Agency Board authorized the purchase of three manufactured homes to be placed on permanent foundations on single-family lots. The homes are in the final stages of completion and irrigation/landscaping should be completed within the next few weeks.

On June 27, the Agency Board authorized the Agency as the seller of each unit, to carry back a first lien mortgage for the amount of the purchase price (less any cash down payment by each homebuyer), with the proviso that refinancing occur within three years.

Three families have qualified to purchase the subject homes. Two of the families are relocating from the east side of Poplar Street in preparation for the Agency's Housing Project.

ANALYSIS

Sale of the manufactured housing would provide the Agency the opportunity for repayment of its monetary outlay while other financing methods are pursued and would also reduce probability of Program management problems.

All three homes will carry long-term affordability covenants for low-income families.

FINANCIAL IMPACT

Each house will sell for \$160,000 (the limit being the result of the low income status of the homebuyers). The provision of carry back financing does not involve additional capital outlay by the Agency at this time; however the loans will tie up Agency funds as long as the loans are outstanding. At such time as refinancing is accomplished, the Agency expects to receive funding equal to 80 percent or more of the original sales price with the balance, if any, secured by a second deed of trust.

Note: Due to the volume of the Housing Disposition Agreements, they are not attached but are available for review during normal business hours.

Attachments: Council Bill #R-2006-42 (24966 Court)
Council Bill #R-2006-43 (10599 Lind)
Council Bill #R-2006-44 (10605 Lind)
CRA Bill #R-2006-14 (24966 Court)
CRA Bill #R-2006-15 (10599 Lind)
CRA Bill #R-2006-16 (10605 Lind)

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA
CONSENTING TO THE APPROVAL BY THE LOMA LINDA
REDEVELOPMENT AGENCY OF AN AGREEMENT FOR THE DISPOSITION
OF PROPERTY FOR AFFORDABLE HOUSING USE WITH HAMID BARKAT
AND NAZRENE BARKAT

(24966 Court Street)

WHEREAS, California Health and Safety Code Sections 33334.2 and 33334.6 authorize and direct the Loma Linda Redevelopment Agency (the "Agency") to expend a certain percentage of all taxes which are allocated to the Agency pursuant to Section 33670 for the purposes of increasing, improving and preserving the community's supply of low and moderate income housing available at affordable housing cost to persons and families of low- and moderate-income, lower income, and very low income; and

WHEREAS, pursuant to applicable law the Agency has established a Low and Moderate Income Housing Fund (the "Housing Fund"); and

WHEREAS, pursuant to Health and Safety Code Section 33334.2(e), in carrying out its affordable housing activities, the Agency is authorized to provide subsidies to or for the benefit of very low income and lower income households, or persons and families of low or moderate income, to the extent those households cannot obtain housing at affordable costs on the open market, and to provide financial assistance for the construction and rehabilitation of housing which will be made available at an affordable housing cost to such persons; and

WHEREAS, pursuant to Section 33413(b), the Agency is required to ensure that at least 15 percent of all new and substantially rehabilitated dwelling units developed within a project area under the jurisdiction of the Agency by private or public entities or persons other than the Agency shall be available at affordable housing cost to persons and families of low or moderate income; and

WHEREAS, the Agency has received a proposal from Hamid Barkat and Nazrene Barkat ("Buyer") to acquire from the Agency a residence at 24966 Court Street (the "Site") for the purpose of residing at the Site;

WHEREAS, the Buyer acknowledges that the use of the Site will be restricted to households of limited income, all as more particularly provided in the "Agreement", as described below; and

WHEREAS, the Agency staff has reviewed the Buyer's eligibility for acquisition of the Site;
and

WHEREAS, in order to carry out and implement the Redevelopment Plan for the Agency's redevelopment projects and the affordable housing requirements thereof, the Agency proposes to enter into an agreement in the form submitted herewith (the "Agreement") with the Buyer, pursuant to which the Agency would sell the Site to the Buyer under a form of deed (the "Agency Deed") which includes long-term affordability covenants limiting the use of property to affordable housing;
and

WHEREAS, the sale of the Site to the Buyer will promote the Redevelopment Plan by furthering the provision of affordable housing and providing for mechanisms to better assure the long-term affordability of the Site; and

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RESOLUTION NO. _____

A RESOLUTION OF THE LOMA LINDA REDEVELOPMENT AGENCY
 APPROVING AN AGREEMENT FOR THE DISPOSITION OF PROPERTY FOR
 AFFORDABLE HOUSING USE WITH HAMID BARKAT AND NAZRENE
 BARKAT

(24966 Court Street)

WHEREAS, California Health and Safety Code Sections 33334.2 and 33334.6 authorize and direct the Loma Linda Redevelopment Agency (the "Agency") to expend a certain percentage of all taxes which are allocated to the Agency pursuant to Section 33670 for the purposes of increasing, improving and preserving the community's supply of low and moderate income housing available at affordable housing cost to persons and families of low- and moderate-income, lower income, and very low income; and

WHEREAS, pursuant to applicable law the Agency has established a Low and Moderate Income Housing Fund (the "Housing Fund"); and

WHEREAS, pursuant to Health and Safety Code Section 33334.2(e), in carrying out its affordable housing activities, the Agency is authorized to provide subsidies to or for the benefit of very low income and lower income households, or persons and families of low or moderate income, to the extent those households cannot obtain housing at affordable costs on the open market, and to provide financial assistance for the construction and rehabilitation of housing which will be made available at an affordable housing cost to such persons; and

WHEREAS, pursuant to Section 33413(b), the Agency is required to ensure that at least 15 percent of all new and substantially rehabilitated dwelling units developed within a project area under the jurisdiction of the Agency by private or public entities or persons other than the Agency shall be available at affordable housing cost to persons and families of low or moderate income; and

WHEREAS, the Agency has received a proposal from Hamid Barkat and Nazrene Barkat (collectively, "Buyer") to acquire from the Agency a residence at 24966 Court Street (the "Site") for the purpose of residing at the Site;

WHEREAS, the Buyer acknowledges that the use of the Site will be restricted to households of limited income, all as more particularly provided in the "Agreement", as described below; and

WHEREAS, the Agency staff has reviewed the Buyer's eligibility for acquisition of the Site; and

WHEREAS, in order to carry out and implement the Redevelopment Plan for the Agency's redevelopment projects and the affordable housing requirements thereof, the Agency proposes to enter into an agreement in the form submitted herewith (the "Agreement") with the Buyer, pursuant to which the Agency would sell the Site to the Buyer under a form of deed (the "Agency Deed") which includes long-term affordability covenants limiting the use of property to affordable housing; and

WHEREAS, the sale of the Site to the Buyer will promote the Redevelopment Plan by furthering the provision of affordable housing and providing for mechanisms to better assure the long-term affordability of the Site; and

WHEREAS, the Agency has duly considered all terms and conditions of the proposed Agreement and believes that the Agreement is in the best interests of the Agency and the City and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable State and local law requirements; and

WHEREAS, the purchase price to be received by the Agency under the Agreement is not less than the fair reuse value of the Site, as determined by a reuse value analysis prepared for the Agency by Community Advisors, a consultant retained by the Agency; and

WHEREAS, all actions required by all applicable law with respect to the proposed Agreement have been taken in an appropriate and timely manner; and

WHEREAS, the Agency and the City Council have duly considered all of the terms and conditions of the proposed Agreement and believes that the redevelopment of the Site pursuant to the Agreement is in the best interests of the City of Loma Linda and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

NOW, THEREFORE, THE LOMA LINDA REDEVELOPMENT AGENCY DOES RESOLVE AS FOLLOWS:

Section 1. The Agency finds and determines that, based upon substantial evidence provided in the record before it, the consideration for the Agency's disposition of the Site by sale pursuant to the terms and conditions of the Agreement, particularly including long-term affordability covenants, is not less than the fair reuse value at the use and with the covenants and conditions and development costs authorized by the Agreement.

Section 2. The Agency hereby finds and determines that the disposition by sale of the Site by the Agency pursuant to the Agreement, including without limitation the equity share provisions set forth therein, will further the achievement of the Agency's affordable housing objectives within the Project Area.

Section 3. The Agency hereby approves the Agreement in substantially the form presented to the Agency, subject to such revisions as may be made by the Executive Director of the Agency or his designee. The Executive Director of the Agency is hereby authorized to execute the Agreement (including without limitation all attachments thereto) on behalf of the Agency, together with any instruments necessary or convenient to implement the Agreement. A copy of the Agreement shall, when executed by the Agency, be placed on file in the office of the Secretary of the Agency.

Section 4. The Executive Director of the Agency (or his designee) is hereby authorized, on behalf of the Agency, to make revisions to the Agreement which do not materially or substantially increase the Agency's obligations thereunder or materially or substantially change the uses or development permitted on the Site, to sign all documents, to make all approvals and take all actions

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necessary or appropriate to carry out and implement the Agreement and to administer the Agency's obligations, responsibilities and duties to be performed under the Agreement and related documents.

APPROVED AND ADOPTED this 17th day of July 2006 by the following vote:

Ayes:
Noes:
Absent:

Robert Ziprick, Chairman

ATTEST:

Pamela Byrnes-O'Camb, Agency Secretary

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA
CONSENTING TO THE APPROVAL BY THE LOMA LINDA
REDEVELOPMENT AGENCY OF AN AGREEMENT FOR THE DISPOSITION
OF PROPERTY FOR AFFORDABLE HOUSING USE WITH MARIE ANGELO

(10599 Lind Avenue)

WHEREAS, California Health and Safety Code Sections 33334.2 and 33334.6 authorize and direct the Loma Linda Redevelopment Agency (the "Agency") to expend a certain percentage of all taxes which are allocated to the Agency pursuant to Section 33670 for the purposes of increasing, improving and preserving the community's supply of low and moderate income housing available at affordable housing cost to persons and families of low- and moderate-income, lower income, and very low income; and

WHEREAS, pursuant to applicable law the Agency has established a Low and Moderate Income Housing Fund (the "Housing Fund"); and

WHEREAS, pursuant to Health and Safety Code Section 33334.2(e), in carrying out its affordable housing activities, the Agency is authorized to provide subsidies to or for the benefit of very low income and lower income households, or persons and families of low or moderate income, to the extent those households cannot obtain housing at affordable costs on the open market, and to provide financial assistance for the construction and rehabilitation of housing which will be made available at an affordable housing cost to such persons; and

WHEREAS, pursuant to Section 33413(b), the Agency is required to ensure that at least 15 percent of all new and substantially rehabilitated dwelling units developed within a project area under the jurisdiction of the Agency by private or public entities or persons other than the Agency shall be available at affordable housing cost to persons and families of low or moderate income; and

WHEREAS, the Agency has received a proposal from Marie Angelo ("Buyer") to acquire from the Agency a residence at 10599 Lind Avenue (the "Site") for the purpose of residing at the Site;

WHEREAS, the Buyer acknowledges that the use of the Site will be restricted to households of limited income, all as more particularly provided in the "Agreement", as described below; and

WHEREAS, the Agency staff has reviewed the Buyer's eligibility for acquisition of the Site; and

WHEREAS, in order to carry out and implement the Redevelopment Plan for the Agency's redevelopment projects and the affordable housing requirements thereof, the Agency proposes to enter into an agreement in the form submitted herewith (the "Agreement") with the Buyer, pursuant to which the Agency would sell the Site to the Buyer under a form of deed (the "Agency Deed") which includes long-term affordability covenants limiting the use of property to affordable housing; and

WHEREAS, the sale of the Site to the Buyer will promote the Redevelopment Plan by furthering the provision of affordable housing and providing for mechanisms to better assure the long-term affordability of the Site; and

WHEREAS, the Agency has duly considered all terms and conditions of the proposed Agreement and believes that the Agreement is in the best interests of the Agency and the City and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable State and local law requirements; and

WHEREAS, the purchase price to be received by the Agency under the Agreement is not less than the fair reuse value of the Site, as determined by a reuse value analysis prepared for the Agency by Community Advisors, a consultant retained by the Agency; and

WHEREAS, all actions required by all applicable law with respect to the proposed Agreement have been taken in an appropriate and timely manner; and

WHEREAS, the Agency and the City Council have duly considered all of the terms and conditions of the proposed Agreement and believes that the redevelopment of the Site pursuant to the Agreement is in the best interests of the City of Loma Linda and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMA LINDA DOES RESOLVE AS FOLLOWS:

Section 1. The City Council finds and determines that, based upon substantial evidence provided in the record before it, the consideration for the Agency's disposition of the Site by sale pursuant to the terms and conditions of the Agreement, particularly including long-term affordability covenants, is not less than the fair reuse value at the use and with the covenants and conditions and development costs authorized by the Agreement.

Section 2. The City Council hereby finds and determines that the disposition by sale of the Site by the Agency pursuant to the Agreement, including without limitation the equity share provisions set forth therein, will further the achievement of the Agency's affordable housing objectives within the Project Area.

Section 3. The City Council hereby consents to the execution of the Agreement by the Agency, including such revisions as may be made by the Executive Director of the Agency or his designee in accordance with the resolution of the Agency of even date herewith.

APPROVED AND ADOPTED this 17th day of July 2006 by the following vote:

Ayes:
Noes:
Absent:

Floyd Petersen, Mayor

ATTEST:

Pamela Byrnes-O'Camb, City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE LOMA LINDA REDEVELOPMENT AGENCY
APPROVING AN AGREEMENT FOR THE DISPOSITION OF PROPERTY FOR
AFFORDABLE HOUSING USE WITH MARIE ANGELO

(10599 Lind Avenue)

WHEREAS, California Health and Safety Code Sections 33334.2 and 33334.6 authorize and direct the Loma Linda Redevelopment Agency (the "Agency") to expend a certain percentage of all taxes which are allocated to the Agency pursuant to Section 33670 for the purposes of increasing, improving and preserving the community's supply of low and moderate income housing available at affordable housing cost to persons and families of low- and moderate-income, lower income, and very low income; and

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WHEREAS, pursuant to Section 33413(b), the Agency is required to ensure that at least 15 percent of all new and substantially rehabilitated dwelling units developed within a project area under the jurisdiction of the Agency by private or public entities or persons other than the Agency shall be available at affordable housing cost to persons and families of low or moderate income; and

WHEREAS, the Agency has received a proposal from Marie Angelo ("Buyer") to acquire from the Agency a residence at 10599 Lind Avenue (the "Site") for the purpose of residing at the Site;

WHEREAS, the Buyer acknowledges that the use of the Site will be restricted to households of limited income, all as more particularly provided in the "Agreement", as described below; and

WHEREAS, the Agency staff has reviewed the Buyer's eligibility for acquisition of the Site; and

WHEREAS, in order to carry out and implement the Redevelopment Plan for the Agency's redevelopment projects and the affordable housing requirements thereof, the Agency proposes to enter into an agreement in the form submitted herewith (the "Agreement") with the Buyer, pursuant to which the Agency would sell the Site to the Buyer under a form of deed (the "Agency Deed") which includes long-term affordability covenants limiting the use of property to affordable housing; and

WHEREAS, the sale of the Site to the Buyer will promote the Redevelopment Plan by furthering the provision of affordable housing and providing for mechanisms to better assure the long-term affordability of the Site; and

WHEREAS, the Agency has duly considered all terms and conditions of the proposed Agreement and believes that the Agreement is in the best interests of the Agency and the City and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable State and local law requirements; and

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Section 4. The Executive Director of the Agency (or his designee) is hereby authorized, on behalf of the Agency, to make revisions to the Agreement which do not materially or substantially increase the Agency's obligations thereunder or materially or substantially change the uses or development permitted on the Site, to sign all documents, to make all approvals and take all actions

Resolution No.
Page 3

necessary or appropriate to carry out and implement the Agreement and to administer the Agency's obligations, responsibilities and duties to be performed under the Agreement and related documents.

APPROVED AND ADOPTED this 17th day of July 2006 by the following vote:

Ayes:
Noes:
Absent:

Robert Ziprick, Chairman

ATTEST:

Pamela Byrnes-O'Camb, Agency Secretary

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA
CONSENTING TO THE APPROVAL BY THE LOMA LINDA
REDEVELOPMENT AGENCY OF AN AGREEMENT FOR THE DISPOSITION
OF PROPERTY FOR AFFORDABLE HOUSING USE WITH MONIQUE ORTIZ
(10605 Lind Avenue)

WHEREAS, California Health and Safety Code Sections 33334.2 and 33334.6 authorize and direct the Loma Linda Redevelopment Agency (the "Agency") to expend a certain percentage of all taxes which are allocated to the Agency pursuant to Section 33670 for the purposes of increasing, improving and preserving the community's supply of low and moderate income housing available at affordable housing cost to persons and families of low- and moderate-income, lower income, and very low income; and

WHEREAS, pursuant to applicable law the Agency has established a Low and Moderate Income Housing Fund (the "Housing Fund"); and

WHEREAS, pursuant to Health and Safety Code Section 33334.2(e), in carrying out its affordable housing activities, the Agency is authorized to provide subsidies to or for the benefit of very low income and lower income households, or persons and families of low or moderate income, to the extent those households cannot obtain housing at affordable costs on the open market, and to provide financial assistance for the construction and rehabilitation of housing which will be made available at an affordable housing cost to such persons; and

WHEREAS, pursuant to Section 33413(b), the Agency is required to ensure that at least 15 percent of all new and substantially rehabilitated dwelling units developed within a project area under the jurisdiction of the Agency by private or public entities or persons other than the Agency shall be available at affordable housing cost to persons and families of low or moderate income; and

WHEREAS, the Agency has received a proposal from Monique Ortiz ("Buyer") to acquire from the Agency a residence at 10605 Lind Avenue (the "Site") for the purpose of residing at the Site;

WHEREAS, the Buyer acknowledges that the use of the Site will be restricted to households of limited income, all as more particularly provided in the "Agreement", as described below; and

WHEREAS, the Agency staff has reviewed the Buyer's eligibility for acquisition of the Site;
and

WHEREAS, in order to carry out and implement the Redevelopment Plan for the Agency's redevelopment projects and the affordable housing requirements thereof, the Agency proposes to enter into an agreement in the form submitted herewith (the "Agreement") with the Buyer, pursuant to which the Agency would sell the Site to the Buyer under a form of deed (the "Agency Deed") which includes long-term affordability covenants limiting the use of property to affordable housing;
and

WHEREAS, the sale of the Site to the Buyer will promote the Redevelopment Plan by furthering the provision of affordable housing and providing for mechanisms to better assure the long-term affordability of the Site; and

WHEREAS, the Agency has duly considered all terms and conditions of the proposed Agreement and believes that the Agreement is in the best interests of the Agency and the City and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable State and local law requirements; and

WHEREAS, the purchase price to be received by the Agency under the Agreement is not less than the fair reuse value of the Site, as determined by a reuse value analysis prepared for the Agency by Community Advisors, a consultant retained by the Agency; and

WHEREAS, all actions required by all applicable law with respect to the proposed Agreement have been taken in an appropriate and timely manner; and

WHEREAS, the Agency and the City Council have duly considered all of the terms and conditions of the proposed Agreement and believes that the redevelopment of the Site pursuant to the Agreement is in the best interests of the City of Loma Linda and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMA LINDA DOES RESOLVE AS FOLLOWS:

Section 1. The City Council finds and determines that, based upon substantial evidence provided in the record before it, the consideration for the Agency's disposition of the Site by sale pursuant to the terms and conditions of the Agreement, particularly including long-term affordability covenants, is not less than the fair reuse value at the use and with the covenants and conditions and development costs authorized by the Agreement.

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Section 3. The City Council hereby consents to the execution of the Agreement by the Agency, including such revisions as may be made by the Executive Director of the Agency or his designee in accordance with the resolution of the Agency of even date herewith.

APPROVED AND ADOPTED this 17th day of July 2006 by the following vote:

Ayes:

Noes:

Absent:

Floyd Petersen, Mayor

ATTEST:

Pamela Byrnes-O'Camb, City Clerk

RESOLUTION NO. ____

A RESOLUTION OF THE LOMA LINDA REDEVELOPMENT AGENCY
APPROVING AN AGREEMENT FOR THE DISPOSITION OF PROPERTY FOR
AFFORDABLE HOUSING USE WITH MONIQUE ORTIZ

(10605 Lind Avenue)

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WHEREAS, the Agency has received a proposal from Monique Ortiz ("Buyer") to acquire from the Agency a residence at 10607 Lind Avenue (the "Site") for the purpose of residing at the Site;

WHEREAS, the Buyer acknowledges that the use of the Site will be restricted to households of limited income, all as more particularly provided in the "Agreement", as described below; and

WHEREAS, the Agency staff has reviewed the Buyer's eligibility for acquisition of the Site; and

WHEREAS, in order to carry out and implement the Redevelopment Plan for the Agency's redevelopment projects and the affordable housing requirements thereof, the Agency proposes to enter into an agreement in the form submitted herewith (the "Agreement") with the Buyer, pursuant to which the Agency would sell the Site to the Buyer under a form of deed (the "Agency Deed") which includes long-term affordability covenants limiting the use of property to affordable housing; and

WHEREAS, the sale of the Site to the Buyer will promote the Redevelopment Plan by furthering the provision of affordable housing and providing for mechanisms to better assure the long-term affordability of the Site; and

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NOW, THEREFORE, THE LOMA LINDA REDEVELOPMENT AGENCY DOES RESOLVE AS FOLLOWS:

Section 1. The Agency finds and determines that, based upon substantial evidence provided in the record before it, the consideration for the Agency's disposition of the Site by sale pursuant to the terms and conditions of the Agreement, particularly including long-term affordability covenants, is not less than the fair reuse value at the use and with the covenants and conditions and development costs authorized by the Agreement.

Section 2. The Agency hereby finds and determines that the disposition by sale of the Site by the Agency pursuant to the Agreement, including without limitation the equity share provisions set forth therein, will further the achievement of the Agency's affordable housing objectives within the Project Area.

Section 3. The Agency hereby approves the Agreement in substantially the form presented to the Agency, subject to such revisions as may be made by the Executive Director of the Agency or his designee. The Executive Director of the Agency is hereby authorized to execute the Agreement (including without limitation all attachments thereto) on behalf of the Agency, together with any instruments necessary or convenient to implement the Agreement. A copy of the Agreement shall, when executed by the Agency, be placed on file in the office of the Secretary of the Agency.

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necessary or appropriate to carry out and implement the Agreement and to administer the Agency's obligations, responsibilities and duties to be performed under the Agreement and related documents.

APPROVED AND ADOPTED this 17th day of July 2006 by the following vote:

Ayes:

Noes:

Absent:

Robert Ziprick, Chairman

ATTEST:

Pamela Byrnes-O'Camb, Secretary